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STATE FOR S/CT, EUR/SE, EUR/NB

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TAGS: [PREL](#) [PTER](#) [DA](#) [TU](#)

SUBJECT: (C) ROJ-TV: DANES HOPEFUL ABOUT NEW TURKISH
EVIDENCE

Classified By: (U) Ambassador Laurie S. Fulton; reason 1.4 (b, d)

¶1. (C) SUMMARY: Denmark does not rule out that the latest evidence provided by Turkey will be of the type needed to prove Roj-TV's ties to the terrorist PKK in a Danish court, national security advisor Ahrenkiel told the Ambassador October 9. Prosecutors are studying the file and are expected to reach a conclusion this autumn. The Danish Government cannot intervene in the judicial process but has emphasized to the prosecutors the importance of the case. Ahrenkiel noted that anti-terrorism cooperation between Turkey and Denmark has increased; he credited USG good offices with helping the Turkish Government to realize that Denmark wants to support it, and to understand Denmark's domestic legal requirements. END SUMMARY.

¶2. (C) The Ambassador met October 9 with the Prime Minister's national security advisor, Thomas Ahrenkiel, to discuss matters that are important to the bilateral relationship but were left off the agenda for the President's October 2 meeting with the Prime Minister. Top of the list was the case of Roj-TV. Ahrenkiel said this matter had been looked into by Danish police and prosecutors for a number of years, and the evidence had always been deemed insufficient for prosecution in a Danish court. Until recently, the evidence provided by Turkey had focused on program content; under Danish law, the prosecution would have to meet the difficult standard of proving direct incitement to terror. Denmark is also pursuing a second track, looking into financial ties to the PKK. A Danish prosecutor last visited Ankara in March; contrary to speculation at the time, the visit was about Roj-TV and not about then-PM Anders Fogh Rasmussen's candidacy for NATO Secretary General. Thanks to the good offices of S/CT, Turkey now:

- realizes the Danish Government is treating the matter with utmost seriousness and wants to support it,
- has a better understanding of what Denmark needs for a successful prosecution, and
- grasps that a loss in court would be "a big problem."

¶3. (C) Stressing that the Government cannot intervene in the independence of the prosecutorial function, Ahrenkiel emphasized that it has impressed upon prosecutors the importance of the case. He said the prosecutors are encouraged by the latest evidence Turkey has provided and hope to conclude their investigation this autumn. (He noted the possibility that the investigation could continue past autumn.) He acknowledged that a decision not to prosecute would create "a big crisis" between Turkey and Denmark. At the Ambassador's behest, Ahrenkiel promised to let her know immediately if the prosecutors decided to close the case.

¶4. (C) Ahrenkiel noted that Denmark has increased its anti-terrorism cooperation with Turkey, e.g. confiscating

substantial sums of money from Kurdish couriers. Within the EU, Denmark has been very active in support of listing the PKK as a terrorist organization and "was one of the first to act." The Danish Embassy in Ankara includes a police liaison officer, who has good contacts with his hosts.

15. (C) By way of background, Ahrenkiel recalled that when PM Erdogan visited Copenhagen in 2006, he discovered that a Roj-TV reporter accredited through NATO was to be present for his joint press conference with PM Anders Fogh Rasmussen. When his demand that the reporter be barred was not met (because the reporter had been credentialed by NATO), he left in a huff, and the two leaders did not speak again until 2008 when they met in Paris. After that, Ahrenkiel visited Ankara and persuaded his interlocutor (now the Foreign Minister) of Denmark's sincere desire to help. While Ahrenkiel credits the U.S. assistance in improving Danish-Turkish communication since March 2009, he made clear that the two countries are working together in an improved manner now.

FULTON